## Child Protection Information for the Public

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### Child Protection Terms

**Abandoned** - When a parent has willfully failed to maintain a normal parental relationship including, but not limited to, reasonable support or regular personal contact.

**ASFA (Adoptions and Safe Families Act)** - An act of Congress passed in 1997 , the goal of which is to shorten the time between when a child enters the child welfare system and the time that child achieves permanency. ASFA also changed the meaning of reasonable efforts and established that reasonable efforts to return a child home need not be made when aggravated circumstances are found to exist by the Court. Where children have been in foster care for more that 15 of the past 22 months, ASFA requires the county child welfare agency to move to terminate parental rights and seek adoption or other permanent alternatives for the child.

**CASA (Court Appointed Special Advocates)** - CASA's role in dependency proceedings is to present the court with a unique "child- centered" perspective regarding what is in the best interest of the child. To prepare their recommendations, CASA volunteers talk with the child, parents, family members, social workers and all other persons involved in the child's life. Most importantly, CASA volunteers visit with the child at least once a month in order to gain a full understanding of the situation.

**Child** - Any unemancipated person under 18 years of age.

**Concurrent Planning** - A planning model that prepares for and implements different outcomes at the same time.

**Custodian** - A person, other than a parent or legal guardian, to whom legal or joint legal custody of the child has been given by court order.

**Foster Care** - 24-hour substitute care for children placed away from their parents or guardians and for whom the county child welfare agency has placement and care responsibility. This includes, but is not limited to, family foster homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes.

**GAL (Guardian ad Litem)** - A person appointed by the court to act as special advocate for the best interest of the child who is the subject of child protection proceedings.

**Idaho Department of Health and Welfare** - The agency with primary responsibility to implement the purpose of the Child Protective Act (CPA). The Department of Health and Welfare is empowered and required to do all things reasonably necessary to carry out the purpose of the CPA.

**Imminent Danger** - A child may be taken into shelter care by a peace officer only where the child is endangered in his surroundings and prompt removal is necessary to prevent serious physical or mental injury to the child or where the child is an abandoned child.

**Indian Child Welfare Act (ICWA)** - A federal law that governs the jurisdiction over adoption and custody of American Indian children.

**Legal Custody** - The legal right to make major decisions affecting the best interest of a minor child, including but not limited to medical, religious and educational decisions.

**Permanency Plan** - A plan for a continuous residence and maintenance of nurturing relationships during the child's minority.

**Physical Custody** - The actual physical possession and control of a child.

**Presumptive Father** - A man who is or was married to the birth mother and the child is born during the marriage or within three hundred days after the marriage is terminated

**Protective Supervision** - A legal status created by court order in neglect and abuse cases whereby the child is permitted to remain in his home under supervision by the Idaho Department of Health and Welfare.

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### Court Hearings

**Shelter Care Hearing** - A hearing that occurs within 48 hours of the child's removal from the home and where the court determines if reasonable cause exists for the child to come within the jurisdiction of the court.

**Adjudicatory Hearing** - A hearing to determine (a) whether the child comes under the jurisdictions of the court pursuant to the provisions of the Child Protective Act and (b) whether continuation of the child in the home would be contrary to the child's welfare and whether the best interests of the child require protective supervision or vesting legal custody of the child in an authorized agency and (c) whether aggravated circumstance exist.

**Case Plan Hearing** - A hearing to (a) review, approve, modify or reject the case plan and (b) review reasonable efforts being made to rehabilitate the family and (c) review reasonable efforts being made to reunify the children with a parent or guardian.

**Permanency Hearing** - A hearing to review, approve, reject or modify the permanency plan of the department, and review reasonable efforts in accomplishing the permanency plan.

**Termination of Parental Rights** - Provides for voluntary and involuntary severance of the parent-child relationship and for substitution of parental care and supervision by judicial process, thereby safeguarding the rights and interests of all parties concerned and promoting their welfare and that of the state of Idaho and to provide permanency for children who are under the jurisdiction of the court through the Child Protective Act.

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### National Resource Centers

- Casey Family Programs Resource Center [1]*
- Child Welfare Information Gateway [2]*
- National Center for Homeless Education [3]*
- National Center on Legal and Judicial Issues [4]*
- National Children's Advocacy Center [5]*
- National Council of Juvenile and Family Court Judges [6]*
- National Resource Center for Permanency and Family Connections [7]*

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### Parents

- My Kids are in State Custody, What Do I Do Now? [8]
- Ten Ways to Be a Better Dad [9]
- Tips on How to Work With Your Lawyer [10]
- Rise trains parents to write about their experiences with the child welfare system in order to support parents and parent advocacy and guide child welfare practitioners and policymakers

in becoming more responsive to the families and communities they serve. Click here [11] to learn more.

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**Youth**

- Represent is a national magazine written by and for young people in the foster care system. Through personal narratives and reported stories, the teen staff provide an inside look at life in the system that other teens in care can connect with. Teen readers report that the magazine makes them feel less alone and gives them practical insights into handling the challenges they face. The magazine is also an invaluable resource for adults. Staff, policymakers and foster parents report that reading Represent helps them understand the lives of young people in care in new ways. Click here [12] to learn more.
- IDHW book for Foster Youth [13]

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**Other Resources**

- Children's Exposure to Violence: A Comprehensive National Survey [14]
- Idaho Governors Task Force on Children at Risk [15]
- The Need for Federal Finance Reform [16]

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*Resources with an asterisk indicate a link to a website maintained by a third party and unaffiliated with the Idaho Supreme Court.

**Source URL:** http://www.isc.idaho.gov/child-protection/public

**Links:**
[1] http://www.casey.org/Resources/
[2] http://www.childwelfare.gov/index.cfm
[3] http://www.serve.org/nche/
[4] http://www.abanet.org/child/rclji/home.html
[5] http://www.nationalcac.org/
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[16] http://www.isc.idaho.gov/../cp/docs/The%2520Need%2520for%2520Federal%2520Finance%252

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